

## **REMARKS**

In the Office Action, the Examiner rejected claims 1-7, 9, 10, and 14-19 under 35 U.S.C. §102(b) as being anticipated by JP Patent No. 10-42114 to Uchibori ("Uchibori"); rejected claims 8 and 13 under 35 U.S.C. §103(a) as being unpatentable over Uchibori further in view of U.S. Patent No. 5,414,494 to Aikens ("Aikens"); and rejected claims 11 and 12 under 35 U.S.C. §103(a) as being unpatentable over Uchibori further in view of U.S. Patent No. 5,881,233 to Toyoda et al. ("Toyoda").

### **Summary of Applicants' Reply**

For the following reasons, Applicants submit that the pending claims are allowable and respectfully request the timely reconsideration and allowance of claims 1-19.

### **Detailed Response**

#### **Rejections under 35 U.S.C. § 102(b)**

The rejections of claims 1-7, 9, 10, and 14-19 as being unpatentable under 35 U.S.C. § 102(e) are respectfully traversed, since the Examiner has not made a *prima facie* case of anticipation. In order to properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(e), a single reference must teach each and every element of the claim in issue, either expressly or under principles of inherency. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the claim." *See* M.P.E.P. § 2131(8<sup>th</sup> Ed. Aug. 2001), *quoting Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131 (8<sup>th</sup> Ed. 2001).

Applicants submit that these requirements have not been met for at least the following reasons.

Independent claim 1 recites a combination including, for example, "transmitting means for reading the information relating to the document image stored in the storage means

periodically and transmitting the document image ...to one of the at least one system.”

Applicants submit that Uchibori does not disclose such a combination. The Examiner asserted that the “transmitting means” corresponds to a copier in Uchibori (cited to ¶ 23 of Uchibori, see O.A. at p.3). However, this copier only transmits picture data to the server and receives picture data from the server. In Uchibori therefore, the copier transmits to and receives from the same entity, *i.e.*, the server. Applicants respectfully submit that this does not anticipate at least “transmitting means for reading the information relating to the document image stored in the storage means periodically and transmitting the document image ...to one of the at least one system,” as recited in claim 1. Accordingly, claim 1 is allowable.

Furthermore, by virtue of their dependence from allowable claim 1, claims 2-7, 9, 10, and 14-18 are also allowable.

Independent claim 19 recites a combination including, for example, “reading the stored information relating to the document image periodically and transmitting the document image ...to the transmission destination.” For the reasons stated above, regarding claim 1, Uchibori does not disclose at least “reading the stored information relating to the document image periodically and transmitting the document image ...to the transmission destination,” as recited by claim 19. Accordingly, claim 19 is allowable.

Rejections under 35 U.S.C. § 103(a)

The rejections of claims 8, and 11-13 as unpatentable under 35 U.S.C. § 103(a) are respectfully traversed, since the Examiner has not made a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), each of three requirements must be met. First, the reference or references, taken alone or in combination, must teach or suggest each and every element recited in the claims. Second, there must be some suggestion or

motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of these requirements must “be found in the prior art, and not be based on applicant’s disclosure.” *See* M.P.E.P. § 2143 (8<sup>th</sup> Ed. 2001). Applicants submit that these requirements have not been met for at least the following reasons.

Claims 8 and 13, by virtue of their dependence from independent claim 1 each include the recitation “transmitting means for reading the information relating to the document image stored in the storage means periodically and transmitting the document image ...to one of the at least one system.” For at least the reasons discussed above, regarding claim 1, Uchibori does not disclose or suggest such a feature. Moreover, Aiken does not cure this deficiency. Aiken is concerned with detecting and notifying of errors in the system, and does not disclose or suggest at least “transmitting means for reading the information relating to the document image stored in the storage means periodically and transmitting the document image ...to one of the at least one system,” as recited in claims 8 and 13. Accordingly, no combination of Uchibori and Aiken discloses or suggests the claimed combination, and claims 8 and 13 are therefore allowable.

Claims 11 and 12, by virtue of their dependence from independent claim 1 each include “transmitting means for reading the information relating to the document image stored in the storage means periodically and transmitting the document image ...to one of the at least one system.” For at least the reasons discussed above, regarding claim 1, Uchibori does not disclose or suggest such a feature. Moreover, Toyoda does not cure this deficiency. Toyoda does not disclose or suggest at least “transmitting means for reading the information relating to the document image stored in the storage means periodically and transmitting the document image

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...to one of the at least one system," as recited by claims 11 and 12. Accordingly, claims 11 and 12 are allowable.

**Conclusion**


In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of pending claims 1-19.

Please grant any extensions of time required to enter this response and charge any additional required fees to deposit account 07-2339.

Respectfully submitted,

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